

Declaration of Carl Anthony Mitchell

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2 1. I have personal knowledge of the facts stated below and could
3 testify competently to these facts if I were asked to testify as a witness.

4 2. My name is Carl Anthony Mitchell. I am currently homeless
5 and have been living on the streets in the Skid Row Area of Downtown for
6 the past two years. I am 57 years old this year.

7 3. I was in my tent set up along San Pedro St. on December 15,
8 2015. At approximately 8:00 a.m. that day, several officers of the Los
9 Angeles Police Department began waking us up, ordering us to get out of
10 our tents, and pack everything up.

11 4. At this time, several LAPD officers approached me and asked
12 me about a shopping cart from Home Depot. At the time, I was using two
13 red shopping carts provided to me by the Hippie Kitchen. Both carts display
14 large signs on the front of the cart, explaining that the carts are not stolen
15 and are freely given away by the Hippie Kitchen. I was standing next to my
16 red Hippie Kitchen carts. I told the officers that the Home Depot cart off to
17 the other side did not belong to me.

18 5. The officers ignored my explanation and arrested me. When I
19 was arrested, I had a California Identification card in my pocket. I was
20 never asked to sign a notice to appear or to give them a copy of my ID card.
21 I was handcuffed and placed in the back of a patrol car.

22 6. At one point while I was being arrested, I asked for my black
23 backpack that I carry with me and that holds all of my important papers and
24 my medication. It was not given to me, and I did not know what happened
25 to it.

26 7. While I was sitting in the back of the patrol car, I saw the
27 LAPD marking off my property with yellow tape. The patrol car drove away
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1 before I could see what else was done to my property, including my tent and
2 blankets, my clothes, my shoes, and my backpack.

3 8. After I was arrested, I was held in custody in the “new glass
4 house” for approximately 18 hours.

5 9. Before I was released, I was given a citation for Possession of a
6 Stolen Shopping Cart in violation of Business and Professions Code
7 § 22435.2, a misdemeanor offense. When I was released, I signed the
8 citation promising to appear for my court date. A true and correct copy of
9 this citation is attached as Exhibit 1.

10 10. I was also given a Prisoner’s Receipt. This receipt lists “BLK
11 BLT, LACES, COMB, MISC PAPERS AND CARDS, CA ID” as my sole
12 property. A true and correct copy of this receipt is attached as Exhibit 2.
13 When I was released from custody, these items were returned to me.
14 Nothing else was given to me.

15 11. None of the officers ever told me about what had happened to
16 my property when I was arrested. I was never given a receipt or any
17 paperwork for any of these items, and I was never told whether or how I
18 could retrieve these items.

19 12. I was finally released from jail well after midnight. When I
20 returned to San Pedro, all of my belongings were gone. I had nothing other
21 than the clothes I was wearing that morning. I had no idea where to go or
22 what to do. Because all of the shelters closed for the night well before I was
23 released, I had no choice except to sleep on the sidewalk, against a wall,
24 with no shelter. It was very cold that night. The only blanket I had was a
25 blanket I found on the street.

26 13. I lost all of my possessions that were in the Hippie Kitchen
27 carts when I was arrested, including: clothes, blankets, tarps, and brand new
28 shoes. The black backpack that I had asked for, but was not given, contained

1 medication I take for my high blood pressure, prostate problems, and
2 arthritis. My prescription glasses were also not returned to me.

3 14. I receive disability benefits. In addition to buying food,
4 hygiene products and other personal items, I use my disability to stay in a
5 residential hotel but it only covers about a week or so of rent each month,
6 and then I am forced to return to the streets. It has been very difficult for me
7 to replace what was taken from me; I cannot afford to repurchase these
8 items.

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10 I declare under penalty of perjury under the laws of the state of
11 California that the foregoing is true and correct. Executed this 30 th day
12 of March, 2016 in Los Angeles, California.

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